

California Integrated Waste Management Board

Board Meeting

March 15-16, 2005

AGENDA ITEM 8

ITEM

Consideration Of The Application For A SB1066 Time Extension By The City Of Madera, Madera County

I. ISSUE/PROBLEM STATEMENT

The City of Madera (City) has submitted to the California Integrated Waste Management Board (Board) a completed Senate Bill (SB) 1066 Time Extension request for meeting the 50 percent diversion requirement. Staff review indicates that while the City has been implementing the source reduction and recycling programs selected in its Source Reduction and Recycling Element (SRRE), it will need to implement the proposed Plan of Correction to achieve the 50 percent diversion requirement. The City currently has a 43 percent diversion rate for 2001 and 45 percent for 2002. The City is requesting to extend the due date for achieving 50 percent diversion through 12/31/05. Staff's analysis of the City's Plan of Correction indicates the plan is reasonable, given the City's waste stream.

II. ITEM HISTORY

The Board approved the City's 1999/2000 Biennial Review results on June 18-19, 2002. The Board approved a new base year November 13-14, 2001, establishing 1999 as the base year for the City.

III. OPTIONS FOR THE BOARD

1. The Board may approve the City's application as submitted for an extension to the 2000 diversion requirement on the basis of its good faith effort to-date to implement diversion programs and its plans for future implementation.
2. The Board may approve the City's application as may be modified by the jurisdiction at the Board meeting.
3. The Board may approve the City's application as submitted but also make recommendations for the implementation of alternative programs that it believes the jurisdiction should add to its plan for it to be successful.
4. The Board may make recommendations for the implementation of alternative programs that it believes the jurisdiction should add for its plan to be successful and continue the item to the next Board meeting to allow the jurisdiction time to revise its application.
5. The Board may disapprove the City's application and allow the jurisdiction to revise and resubmit the application based upon the Board's specified reasons for disapproval.
6. The Board may disapprove the City's application and direct staff to commence the process to issue a compliance order because the Board's specified reasons for disapproval cannot be addressed by a revised application.
- 7.

IV. STAFF RECOMMENDATION

Staff recommends the Board adopt option No. 3: approve the City's application as submitted but also make recommendations for the implementation of alternative programs that it believes the jurisdiction should add to its plan for it to be successful. Staff recommends the addition of one program, the development and formal adoption of a Recycled Content Procurement Policy by the City.

V. ANALYSIS

A. Key Issues and Findings

1. Background

Public Resources Code (PRC) Section 41825 requires the Board to review each City, County, and Regional Agency's (jurisdiction's) SRRE at least once every two years. As a result of this review, the Board may find a jurisdiction has implemented programs and achieved the diversion requirement; that a jurisdiction has made a good faith effort to implement diversion programs, but has not achieved the 50 percent diversion requirement; or that a compliance order should be assigned to a jurisdiction that has failed to adequately implement its SRRE and/or failed to achieve the diversion requirement.

Alternatively, a jurisdiction that has not achieved the diversion requirement may petition for one or more time extensions to meeting the 50 percent diversion requirement for a maximum of five years; no extensions may be effective beyond January 1, 2006 (PRC Section 41820).

PRC Section 41820(b) further provides that:

"(1) When considering a request for an extension, the board may make specific recommendations for the implementation of alternative programs.

(2) Nothing in this section shall preclude the board from disapproving any request for an extension.

(3) If the board disapproves a request for an extension, the board shall specify its reasons for the disapproval."

The Board may initially grant a one, two or three year extension for meeting the diversion requirements if the following conditions are met:

- The jurisdiction has submitted all required planning elements;
- The Board finds that the jurisdiction is making a good faith effort to implement the programs identified in its SRRE;
- The jurisdiction submits a plan of correction demonstrating that it will meet the diversion requirements by the time the extension expires including: the programs that it will expand or start implementing, the dates of implementation, and the means of funding.

2. Basis for staff's analysis

Staff's analysis is based upon the information below.

Existing Jurisdiction Conditions:

Key Jurisdiction Conditions								
Waste Stream Data								
Base Year	1999	2000	2001	2002	Pounds waste generated per person per day (ppd)	Population	Non-Residential Waste Stream Percentage	Residential Waste Stream Percentage
1999	50	50	43	45	8.7 p/p/d	46,400	62%	38%

SB 1066 Data			
Extension End Date	Program Review Site Visit by Board Staff	Reporting Frequency	Proposed Diversion Increase
12/31/05	2004	Semi-Annual Report Final Report	9 %

City's geographic location: The City is located in Madera County in the heart of the Central Valley near the geographic center of the state. Although the County is rural in nature and historically has a strong economic base in agriculture, the County and the City of Madera have experienced tremendous growth in the last 15 years. The actual growth in the City over the last 14 years is well over 50%.

Primary Diversion Program Information:

The following table provides an overview of the diversion programs the City is currently implementing, and the programs the City is proposing to expand or newly implement as outlined in the Plan of Correction (Section IV-A of the SB1066 Time Extension application; Attachment 1).

Program Name/Type	Existing	Expanded	New	Dropped/ Not Implemented	Staff Comments
Residential Programs:					
Recycling: Residential curbside collection		X			The City has previously implemented a blue bag program but the City will improve this program to a single stream, container collection program. 96 gallon containers will be provided to City residents through a phased in roll-out. These program improvements will be supported by changes and expansions at the County Materials Recover Facility (MRF) and education efforts. Materials planned for diversion under the new program include glass, metal, plastic, paper and cardboard. The City Council passed a minute order in November 2004 approving City staff's report on the need to implement a residential curbside recycling program.
Recycling: Residential drop-off	X				Drop off facilities are available at Fairmead Landfill and the Mammoth MRF. The following separated materials are accepted free of charge: Office and mixed paper, newspaper, telephone books, magazines, aluminum cans, tin & steel cans, plastics #'s 1 – 7, glass, milk & juice cartons, cardboard, paper bags & packaging, metal, car parts without fluids, bicycles, concrete and white goods.
Recycling: Residential buy-back	X				Multiple buy back centers are available within City limits and in the surrounding County areas.
Residential curbside greenwaste		X			The City will enhance the existing greenwaste collection, through increased delivery of containers, development of the curbside recycling program and enhanced education and enforcement activities. City staff have identified particular areas of the City that require a more focused effort to gain effective participation in the greenwaste program and will focus tailored program efforts in these areas.
Residential self haul greenwaste	X				There is a separate greenwaste area at the landfill/MRF for residents and small businesses to deliver clean greenwaste. The collection of clean greenwaste is supported by ordinances, fee structures and education.
Commercial Programs:					
Business Waste Reduction		X			The City will be conducting waste assessments for the 5 largest firms in the jurisdiction. Staff will also develop a better understanding of available resources and private enterprises servicing the business community. These activities will lead to improvements in on-site pick-up and commercial drop-off programs and will be supported by public outreach activities.
Commercial On-site collection		X			Businesses currently report to the City each year which private recycling haulers are providing collection services. City staff will use this information to provide resources to

Program Name/Type	Existing	Expanded	New	Dropped/ Not Implemented	Staff Comments
					all businesses and focus on improvements for the 5 largest business' diversion programs. Also, 96 gallon containers will be provided to small businesses for weekly collection. The City will also work with the City's waste hauler and Sunset Recycling to improve on-site commercial pickup for paper/cardboard, and to comply with The City ordinance to report all recyclables removed from The City.
Commercial Self Haul Recycling and Greenwaste		X			City staff will work with the County and landfill operator to expand commercial drop-off opportunities at the MRF/landfill site. Contracts will include adequate opportunities to increase the recovery of metals, construction and demolition wastes, greenwaste, woodwaste and other recyclables created by the business sector. The City will also work with local haulers to ensure that there are incentives for businesses to participate.
Concrete/Asphalt/Rubble		X			The construction and demolition diversion program will be expanded through the expansion of collection programs and receiving areas at the landfill. Participation will be encouraged through new ordinances, building policies, fee structures and enforcement activities. New and expanded tipping areas will be developed for wood, concrete, asphalt, wallboard and metals. City staff will work cooperatively with affected industries and City departments to ensure a practical and effective program is developed.
Materials Recovery Facility	X				Madera Disposal operates the Mammoth Materials Recovery Facility (MRF) located at the Fairmead Landfill. The MRF is currently going through the permitting process to allow for increased diversion activities. At this time, nearly half of the waste entering the landfill gate is sent through this "dirty" MRF for recovery of recyclables. Clean loads of commingled recyclables and loads identified as rich in recyclables are prioritized for processing. The MRF processes blue bag commingled recyclables from the incorporated cities. Glass, plastic, mixed paper, OCC, metals, HHW, greenwaste, and inerts can be separated during processing at the MRF.
Government Programs					
Government Waste Reduction And Recycling	X				Recycling efforts at local government offices include paper recycling, reuse of one-sided scrap paper, doublesided copying, and electronic transfer of information. The City uses wood chips from landscaping maintenance activities in the landscaping of city offices and utilizes grasscycling in maintenance operations. The City also extensively reuses asphalt and concrete from building and roads projects.
Supporting Programs:					
Public Education - Electronic		X			Planned efforts will be that the City will place new radio and tv ads and public address announcements and develop web page content in support of the curbside recycling program, curbside green-waste program, and construction industry efforts. The City will also include business program information on the city's web site. Multi-lingual materials will continue to be used and the existing relationship with the local Spanish broadcast media will be expanded.
Public Education – Print		X			The City and local waste hauler distribute print materials at outreach events, in city offices and in support of specific efforts. Expanded efforts in the next twelve months will include flyers, brochures, labels on disposal containers,

Program Name/Type	Existing	Expanded	New	Dropped/ Not Implemented	Staff Comments
					<p>door hangers, and other print materials developed to support existing and expanded diversion programs including:</p> <ul style="list-style-type: none"> • Various print materials will be distributed by the City and waste hauler to support the new curbside program. • Businesses will be encouraged to request waste assessments and will be informed of expanded business waste diversion programs through flyers, mail-outs and other materials distributed by both the City and waste haulers. • The City will develop a new bilingual print campaign supporting the curbside green-waste program focusing on areas where participation in the existing program can be improved. • The City, waste hauler and landfill operator will develop print material to encourage industry participation in the expanded construction and demolition diversion program and educate the industry regarding expanded opportunities.
Procurement			X		While not in the City's application as submitted, the City has agreed to develop and formally adopt a recycled-content procurement policy for the City.
Public Education – Outreach		X			<p>City staff currently attend the annual Business Extravaganza and local fairs. As resources allow additional events will be attended and workshop will be developed. The landfill operator, and the waste hauler will expand their joint efforts in community meetings, industry meetings, business fairs, schools, fairs and other opportunities as identified.</p> <p>Expanded Business programs will be highlighted at the annual Business Extravaganza.</p> <p>Curbside recycling will be a major focus of outreach efforts to support initiation of the program, providing information to all residents and businesses to utilize the new blue container for recyclables.</p> <p>City staff will have one-on-one contact with contractors and meetings with construction industry groups to support the implementation of the new C&D ordinance and expanded diversion opportunities.</p>
Economic Incentives (6010)		X			<p>Fee structures at the landfill/MRF support the diversion of greenwaste, woodwaste, construction and demolition and many recyclables. The city has had limited ability to develop business programs in part due to hauler's fee structures but is working with the local hauler to establish a system that will increase business diversion. City is also currently negotiating with the landfill operator to establish incentives for increased diversion.</p> <p>In support of the planned program expansions, economic incentives will also include enforcement of an ordinance that requires rate increases for non-compliance with green-waste recycling ordinance. City currently gives a reduced can rate for clean green. The City will explore expanding this ordinance to include the new mixed recyclables container.</p> <p>The city will also educate the business community regarding decreased disposal fees opportunities through the waste assessment and outreach efforts.</p>

Program Name/Type	Existing	Expanded	New	Dropped/ Not Implemented	Staff Comments
Ordinances (6020)		X			<p>The City has an ordinance that supports the curbside greenwaste collection by requiring a rate increase for non-compliance with clean green-waste recycling. The City plans to improve the public awareness of this ordinance and the enforcement of the ordinance. The City will also explore expanding this ordinance to include the new mixed recyclables container.</p> <p>The City also has an ordinance which requires businesses to identify private recycling haulers working within the City. Information provided under this ordinance will be distributed to educate local businesses about available service providers.</p> <p>The City will develop a C&D ordinance as well as an approval process for all building or planning projects that will require a statement or plan for recycling of construction-demolition waste.</p>

Staff Analysis of SB 1066 Application:

Plan of Correction:

A jurisdiction's SB1066 time extension request must include a Plan of Correction that:

- demonstrates meeting 50 percent before the time extension expires;
- includes source reduction, recycling, and composting programs the City will implement (existing programs it will modify and/or new programs it will implement);
- identifies the date when 50 percent will be achieved;
- identifies funding necessary for new and/or expanded programs.

Section IV-A in Attachment 1 is the City's Plan of Correction that meets the above requirements. A complete listing of diversion programs the City is currently implementing is provided in Attachment 2.

Staff analysis: Board staff has conducted an assessment of the City's current program implementation and its relationship to the City's waste stream, including a program review site visit in 2004. Based on that assessment, staff believes the City's current programs target both the City's residential and non-residential sector.

However, the current programs need to be expanded for the City to provide adequate service to residents and businesses and maintain a diversion rate at or above 50%. As a result of the residential and commercial growth and changes in the demographics of the area, programs and facilities need to be expanded to adequately address the current demands of the City.

Board staff agrees with the City's proposed Plan of Correction which provides for expansion of existing residential and commercial programs. For the residential sector these expansions include upgrades to the current methods for curbside collection of recyclables and greenwaste. For the commercial sector, program expansions will address the construction and demolition waste streams generated in the City, and utilize existing resources to expand technical assistance to businesses, stimulating growth in source reduction and recycling activities for this sector. Expansions to existing programs that will capture residentially generated recyclables, greenwaste, construction and demolition waste, and other business waste streams have been included in the Plan of Correction. As the diversion programs proposed by the City in its Plan of Correction will be targeting both large sectors, staff believes the proposed program expansions

are appropriate.

The City is very dependent on the Mammoth Materials Recovery Facility and diversion programs at the Fairmead Landfill. Unfortunately, the existing facilities are not meeting the needs of the City largely due to the high rate of growth in the County as a whole. To support the planned program enhancements, the landfill and MRF need to provide greater processing capacity and new and expanded diversion programs. The City will continue to work with the County, local haulers and the landfill operator to ensure that adequate processing efforts are in place. The City has recently entered into a one-year extension of the service agreement with the landfill to provide the time necessary for program expansions. If the landfill/MRF can not provide adequate service, the City will look to other regional facilities and service providers. The landfill and MRF both have submitted permit revisions supporting the necessary expansions which are pending CIWMB approval.

In addition to the proposed programs identified in the Plan of Correction, the City has agreed to develop and formally adopt a Recycled Content Procurement Policy for the City. Staff feels it would be appropriate to add this commitment to the Plan of Correction as a supporting program.

Based on Board staff's understanding of the relevant circumstances in the City that contributed to its need for an extension, Board staff believes the City's Plan of Correction that targets both the residential and non-residential sectors will be a reasonable plan if the staff-recommended program are added.

Justification for time extension request:

Section IIIA-2 (in Attachment 1) addresses the City's need for the amount of time requested.

Reason: The City has identified a number of programs and supporting activities to address residential and commercial waste streams. They have developed an aggressive timeline for implementation of these programs in the next 12 months. The City will need time initially to handle administrative activities supporting new and expanded programs including negotiating changes to the existing contract with the franchise hauler, soliciting bids and awarding contracts for new materials and services. The City is also negotiating with the County and the Landfill operator regarding renewal of the current agreement for use of the materials recovery facility and landfill. The time allotted will allow City managers time to complete these negotiations or identify alternatives if necessary. If the relationship with the Fairmead Landfill continues, completion of a permit revision expected in June 2005 will also be relevant to the timing of implementation for new and expanded activities at the landfill and MRF.

Staff analysis: The one year time extension requested seems reasonable since sufficient time is necessary to develop expanded programs and coordinate with the County, the existing hauler and the landfill/MRF operator. The City is already making progress in many program areas and is clearly identifying the time necessary to purchase and distribute equipment for the expanded curbside recycling collection program. The City has developed a timeline which integrates public education into programs at appropriate times. The City has targeted completion of all programs by the end of 2005 and this seems reasonable.

Primary barriers:

Section IIIA-1 (of Attachment 1) addresses the primary barriers that have prevented the City from earlier implementation.

The City has encountered multiple barriers to achieving the 50% diversion goal. Many of these barriers are related to the extraordinary high rate of growth in the City and the County. Primary barriers that have prevented the City from earlier implementation include:

- The County as a whole is experiencing high growth, but it is still a rural county in nature. Although the City does not meet the definition of a rural community, the area faces some of the challenges often seen in rural communities, including limited resources, few large generators in the business community, and limited recycling centers. The region is in transition where financial and staff resources cannot keep up with a demand for increasing services.
- The City focused limited resources in 1999 on pursuing a new base year in the hope that an updated study would reflect better diversion rates achieved through the implementation of the originally planned programs. The study was approved by the Board in 2001.
- In the 1999/2000 biennial review cycle, the City was above the 50% diversion goal and was recognized by the Board for their achievement. The downward trend in diversion rates was amplified by population growth and reflected in the 2001/2002 biennial review cycle.
- A major barrier to the City's success is the contractual agreement and reliance on the Mammoth MRF located at the Fairmead Landfill. The MRF is currently a dirty MRF and is not achieving the diversion rate consistent with the original commitments made to the City. Local jurisdictions recently called for an efficiency study to identify the limitation of the current design and operations of the MRF. This study includes recommended improvements for substantial changes to both the design and operations at the facility to improve recovery rates to a more reasonable level. Moving to a single stream recycling program will greatly increase recovery rates for the City.

Staff analysis:

Staff agrees with the City's explanation of barriers it has faced in meeting the diversion goals. The City and surrounding County are experiencing very high growth rates. This significant increase has put a strain on all government programs, facilities and services. The City has limited staff resources and multiple program assignments for individual staff members. Like many central valley jurisdictions, the City is challenged with insufficient staffing and funding and other competing issues to address such as employment, fire and police services and education.

With population growth, the City faces increased waste generation and changes in the characterization of the waste stream. The original scope of programs from the SRRE addressed conditions of the time. Since then, additional program development has become necessary to account for residential and business growth. The landfill/MRF operator is trying to respond to the increases in waste generation, but the currently permitted capacities have limited program expansion. The City has been contractually obligated to the County facility which has impacted their ability to increase diversion rates or establish new programs. Permit revisions for the landfill and MRF are pending LEA and CIWMB approval which is expected in the next few months. The City has worked diligently with the County and the landfill/MRF operator to identify the problems associated with operations at the landfill/MRF that are limiting the effectiveness of current programs. The City is now in a better position to negotiate for better support programs and with permit approval the landfill/MRF can develop new and expanded operations.

As soon as the diversion rate dropped below 50% in 2001, the City began working with Board staff to identify program improvements that can be implemented to improve the diversion rate and provide residents and businesses adequate service. Turnover in staff and management at the City has impacted the City's program development.

In addition, PRC Section 41820(d) directs Board staff to provide technical assistance to a City that requests assistance in meeting the diversion requirements, such as identifying model policies and programs implemented by other jurisdictions of similar size, geography, and demographic mix. Lastly, a jurisdiction with a Board-approved time extension is required to include a summary of its progress in complying with its plan of correction in each annual report that is due prior to the end of the time extension [per PRC Section 41821(b)(5)]. In addition to reporting its progress in an Annual Report which will serve as a final report at the end of the extension, staff recommends the City also be required to submit one six month progress report as well.

3. Findings

Staff has determined that the Board may grant the requested Time Extension because it meets the requirements of PRC Section 41820; specifically:

- The jurisdiction has submitted all required planning elements.
- The jurisdiction is making a good faith effort to implement the programs identified in its SRRE.
- The jurisdiction has submitted a plan of correction demonstrating that it will meet the diversion requirements by the time the extension expires including: the programs that it will expand or start implementing, the dates of implementation, and the means of funding.

A comprehensive list of the City's SRRE-selected and implemented diversion programs is provided in Attachment 2. Because of the City's efforts to-date and its plans for expanding those efforts to reach the 50 percent diversion requirement as outlined in its Plan of Correction, staff is recommending approval of the City's time extension application.

B. Environmental Issues

Based on available information, staff is not aware of any environmental issues related to this item.

C. Program/Long Term Impacts

Allowing the City more time to implement diversion programs will help to increase waste diversion, both locally and statewide.

D. Stakeholder Impacts

Allowing the City more time to implement new and expanding diversion programs and to measure the impact these newly expanded programs have had on diversion will assist the City in achieving the diversion requirement of PRC Section 41780.

E. Fiscal Impacts

No fiscal impact to the Board results from this item.

F. Legal Issues

As discussed above, this item represents the process for implementing PRC Section 41820 that allows jurisdictions to petition for more time to implement additional diversion programs to achieve the 50 percent diversion requirement for 2000, and allows the Board the discretion to grant that time extension.

G. Environmental Justice Community Setting.

<i>2000 Census Data – Demographics for City of Madera</i>						
% White	% Hispanic	% Black	%Native American	%Asian	%Pacific Islander	%Other
25.1	67.8	3.3	0.9	1.3	0.1	0.1

<i>2000 Census Data – Economic Data for City of Madera</i>		
Median annual income*	Mean (average) income*	% individuals below poverty level
\$47,493	\$65,628	32.5

* Per household

Environmental Justice Issues.

- **Efforts at Environmental Justice Outreach.** The City uses brochures, flyers, and radio and TV ads to promote recycling and specific program efforts to all residential and commercial sectors. To increase participation and support program expansions, the City has planned additional dissemination of information to residents and businesses as outlined in the plan of correction. The City develops all residential materials in English and Spanish and has clearly identified areas of the jurisdiction in which Spanish is the primary language. The City will work with businesses to identify any culturally specific materials or programs needed.
- **Project Benefits.** The expansion of the existing, and implementation of the additional programs listed in this item will help to increase the City's diversion rates. Improvements will also benefit the County's diversion programs.

H. 2001 Strategic Plan

This item supports Strategic Plan goal 2, objective 3 (Support local jurisdictions' ability to reach and maintain California's waste diversion mandates), strategy (D) (Assess and assist local governments' efforts to implement programs and reduce disposal, taking corrective action as needed) by assessing the City's efforts to implement programs and reduce disposal.

This item also supports Strategic Plan goal 7, objective 1 (Promote source reduction to minimize the amount of waste generated, strategy (B) (Continue to work with jurisdictions to ensure they meet and/or exceed existing waste diversion mandates) by demonstrating staff's continual efforts to work with jurisdictions to ensure they meet and/or exceed the waste diversion mandates.

VI. FUNDING INFORMATION

This item does not require any Board fiscal action.

VII. ATTACHMENTS

1. SB1066 Time Extension Application for the City of Madera
2. Program Listing for the City of Madera
3. Resolution Number 2005-66

VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION

A. Program Staff: Natalie Lee

Phone: (916) 341-6260

B. Legal Staff: Elliot Block

Phone: (916) 341-6080

C. Administrative Staff: NA

Phone: NA

IX. WRITTEN SUPPORT AND/OR OPPOSITION

A. Support

City of Madera.

B. Opposition

Staff had not received any written opposition at the time this item was submitted for publication.

To request a Time Extension (TE) or Alternative Diversion Requirement (ADR), please complete and sign this request sheet and return it to your Office of Local Assistance (OLA) representative at the address below, along with any additional information requested by OLA staff. When all documentation has been received, your OLA representative will work with you to prepare for your appearance before the Board. If you have any questions about this process, please call (916) 341-6199 to be connected to your OLA representative.

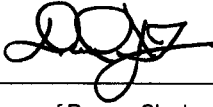
Mail completed documents to:

California Integrated Waste Management Board
Office of Local Assistance, (MS 25)
1001 I Street
PO Box 4025
Sacramento CA 95812-4025

General Instructions:

For a Time Extension complete Sections I, II, III-A, IV-A, and V.

For an Alternative Diversion Requirement complete Sections I, II, III-B, IV-B and V.

Section I: Jurisdiction Information and Certification <i>All respondents must complete this section.</i>			
I certify under penalty of perjury that the information in this document is true and correct to the best of my knowledge, and that I am authorized to make this certification on behalf of:			
Jurisdiction Name City of Madera		County Madera	
Authorized Signature 		Title City Administrator	
Type/Print Name of Person Signing David Tooley	Date November 18, 2004		Phone (559) 661-5400
Person Completing This Form (please print or type) Ray Salazar, P.E. Ronald S. Frye, MSW Consulting		Title Deputy City Engineer	
Phone (559)661-5420	E-mail Address RSalazar@cityofmadera.com DTooley@cityofmadera.com		Fax (559)674-0446
Mailing Address 205 West 4 th Street	City Madera	State CA	ZIP Code 93637

Section II—Cover Sheet

This cover sheet is to be completed for each Time Extension (TE) or Alternative Diversion Requirement (ADR) requested.

1. Eligibility

Has your jurisdiction filed its Source Reduction and Recycling Element, Household Hazardous Waste Element, and Nondisposal Facility Element with the Board (must have been filed by July 1, 1998 if you are requesting an ADR)?

☐ No. If no, stop; not eligible for a TE or ADR.

☒ Yes. If yes, then eligible for a TE or ADR.

2. Specific Request and Length of Request

Please specify the request desired.

☒ **Time Extension Request**

Specific years requested 2004/2005

Is this a second request? ☒ No ☐ Yes Specific years requested
(Note: Requests for an additional extension will need to address why the jurisdiction's efforts to meet the 50% goal by the end of the first extension were not successful.)

☐ **Alternative Diversion Requirement Request (*Not allowed for Regional Agencies*).**

Specific ADR requested %, for the years

Is this a second ADR request? ☐ No ☐ Yes Specific ADR requested %, for the years

(Note: Requests for an additional ADR will need to address why the jurisdiction's efforts to meet 50% by the end of the first ADR period were not successful.)

Note: Extensions may be requested anytime by a jurisdiction, but will only be effective in the years from January 1, 2000 to January 1, 2006. An original request for a TE/ADR may be granted for any period up to three years and subsequent requests for TE/ADR may extend the original request or be based on new circumstances but the total number of years for all requests cannot total more than five years or extend beyond January 1, 2006.

Section IIIA—TIME EXTENSION

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's progress in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIA-1).

- 1. Why does your jurisdiction need more time to meet the 50% goal? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.**

The City has encountered multiple barriers to achieving the 50% diversion goal. Many of these barriers are related to the extraordinary high rate of growth in the City (36,598 in January 1999 to 48,366 in January 2004) and the County in the last 14 years.

The original scope of programs from the SRRE addressed conditions of the time. Since then additional program development has become necessary to account for residential and business growth and changes in regional infrastructure.

A major barrier to the City's success is the contractual agreement and reliance on the Mammoth MRF located at the Fairmead Landfill. The MRF is currently a dirty MRF and is not achieving the diversion rate consistent with the original commitments made to the City. Local jurisdictions recently called for an efficiency study to identify the limitation of the current design and operations of the MRF. This study includes recommended improvements for substantial changes to both the design and operations at the facility to improve recovery rates to a more reasonable level. Moving to a single stream recycling program will greatly increase recovery rates for the City.

Although the County as a whole is experiencing high growth, it is still a rural county in nature. Although the City does not meet the definition of a rural community, but the area faces some of the challenges often seen in rural communities, including limited resources, large generators in the business community, and limited recycling centers. The region is in transition where financial and staff resources cannot keep up with a demand for increasing services.

The City focused limited resources in 1999 on pursuing a new base year in the hope that an updated study would reflect better diversion rates achieved through the implementation of the originally planned programs. The study was approved by the Board in 2001.

In the 1999/2000 biennial review cycle, the City was above the 50% diversion goal and was recognized by the Board for their achievement. The downward trend in diversion rates was amplified by population growth and reflected in the 2001/2002 biennial review cycle. The City has since worked with Board staff, has identified program improvements that can be implemented to improve the diversion rate and bring consistency to programs in the County as a whole. The proposed program improvements will address construction and demolition wastes associated with the current population growth. Expansion of residential and commercial diversion programs will address the increased waste stream and changes in collection needed to address the growth rates.

2. Why does your jurisdiction need the amount of time requested? Describe any relevant circumstances in the jurisdiction that contribute to the need for a Time Extension.

The City has identified a number of programs and supporting activities to address residential and commercial waste streams. They have developed an aggressive timeline for implementation of these programs in the next 12 – 14 months. The City will need time initially to handle administrative activities supporting new and expanded programs including negotiating changes to the existing contract with the franchise hauler, and soliciting bids and awarding contracts for new materials and services. The City is also negotiating with the County and the Landfill operator regarding renewal of the current agreement for use of the materials recovery facility and landfill. The time allotted will allow city managers to complete these negotiations or identify alternatives if necessary. If the relationship with the Fairmead Landfill continues, completion of a permit revision expected in June 2005 will also be relevant to the timing of implementation for new and expanded activities at the landfill and MRF.

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

The City submitted a SRRE with 18 programs. The City has implemented all programs. The City has a MRF for removal of recyclables, a Green Waste Collection Program, a Household Hazardous Waste program with a regional permanent facility (not yet fully permitted), educational programs, regulatory ordinances in place or in development and a technical assistance programs.

The City has hired a Recycling Coordinator and is advertising for a Recycling Manager.

The City contracted with a Solid Waste Consulting firm to establish a new base year and was approved by the CIWMB.

The City participates in regional working groups and is actively involved in the review of the efficiency study of the MRF/Landfill.

4. Provide any additional relevant information that supports the request.

The City through the efforts of the new base year identified numerous private recyclers operating in the City. To work with this industry, the City has an ordinance requiring all entities that pick-up recyclable materials within the city to report material types collected annually. This ordinance has allowed the City to develop it's knowledge of private recycling activities to better support the business community. Although some local businesses buy recycled materials, the City will formalize the current procurement policies to cover the City purchasing activities.

If the City maintains it's agreement with the County's landfill for disposal and diversion activities, the City will be actively involved in improvements and expansions at the landfill and MRF as described in the efficiency report and subsequent negotiations. The improvements should include expanded sorting of materials at the County's MRF through addition of a new sorting line and changes to current operations. The landfill when the permit revision is complete will also expand the drop off, greenwaste, HHW and C&D collection areas.

Section IIIB—ALTERNATIVE DIVERSION REQUIREMENT

Within this section, discuss your jurisdiction's progress in implementing diversion programs that were planned to achieve 50%. Provide any additional information that demonstrates "good faith effort." The CIWMB shall determine your jurisdiction's efforts in demonstrating "good faith effort" towards complying with AB 939. Note: The answers to each question should be comprehensive and provide specific details regarding the jurisdiction's situation.

Attach additional sheets if necessary—please reference each response to the appropriate cell number (e.g., IIIB-1.).

1. Why does your jurisdiction need and Alternative Diversion Requirement? Describe why SRRE selected programs did not achieve 50% diversion. Identify barriers to meeting the 50% goal and briefly indicate how they will be overcome.

2. Why is your jurisdiction requesting an Alternative Diversion Requirement in lieu of a Time Extension?

3. Describe your jurisdiction's Good Faith Efforts to implement the programs in its SRRE.

4. Describe any relevant circumstances in the jurisdiction that contribute to the need for an ADR. Provide any relevant information that supports the request.

Section IV A—PLAN OF CORRECTION

A Plan of Correction is required by PRC Section 41820(a)(6)(B). The plan is fundamentally a description of the actions the jurisdiction will take to meet the 50% goal by the expiration of the Time Extension.

Attach additional sheets if necessary.

Residential %		38	Non-residential %		62
PROGRAM TYPE Please use the Board's Program Types. The Program Glossary is online at: www.ciwmb.ca.gov/ LGCentral/PARIS/Codes/ Reduce.htm	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
2000-RC-CRB Residential Curbside	Expand	Purchase and distribute new 96 gallon containers for collection of mixed recyclables to all single family residences and small businesses for weekly pickup. Phase in 96 gallon containers during the period of July 1, 2005 through August 30, 2005. New containers will be for the collection of glass, metal, plastics, paper and cardboard. Also will integrate green waste clean-up policy as part of the new collection program.	City, Waste Hauler, and Landfill Operator	August 30, 2005	4%
2030-RC-OSP Commercial On-Site Pickup	Expand	Work with City's waste hauler and Sunset Recycling to improve on-site commercial pickup for paper/cardboard, and to comply with City ordinance to report all recyclables removed from the City. Coordinate pickup programs with Gottschalks, Home Depot, Office Depot and Food MAX.	Waste Hauler	June 2005	1%
2040 -RC-SFH Commercial Self-Haul	Expand	Expand commercial recycling opportunities at the existing landfill or any new negotiated agreement to increase recovery of metals, construction and demolition, greenwaste, woodwaste, and standard recyclable materials. Business waste audits and ordinance development will support this program. Diversion increase shared with C&D Program estimate.	City, Landfill Operator	December 2005	1%
3000-CM-RCG Residential Curbside Greenwaste Collection	Expand	Enhanced residential green waste program, outreach, and enforcement of City green waste ordinances. Need to increase green waste participation by citizens to provide a clean product. Additional blue recycling container will reduce contamination due to container overflow.	City	August 2005	1%
4060-SP-CAR Concrete/Asphalt/Rubble (C&D)	Expand	Expand construction and demolition recycling programs at County Landfill. See attached letter. County Landfill operator will establish wood, concrete, blacktop, wallboard and metal tipping areas and recycling. City will implement program to require all permits for construction/demolition to have C&D Recycling Statement and Plan at time permit is issued. City inspectors will enforce C&D Recycling. City staff will coordinate the implementation of the program between the industry, hauler, and landfill operator.	City, Landfill Operator & Tipping Fees.	December 2005	2%
Total Estimated Diversion Percent From New and/or Expanded Programs					9%
Current Diversion Rate Percent From Latest Annual Report					45%

PROGRAMS SUPPORTING DIVERSION ACTIVITIES (Continued)

PROGRAM TYPE	NEW or EXPANDED	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED
1020-SR-BWR Business Source Reduction	Expand	Conduct business waste assessments for 5 largest firms (Gottschalks, Home Depot, Wal-Mart, Office Depot, FoodMAX) each year. This effort supports the commercial on site and self haul programs. Education and outreach programs will coordinate with this effort.	December 2005
5000 -ED-ELC Electronic	Expand	Place new radio and tv ads and public address announcements and develop web page content in support of the curbside recycling program, curbside green-waste program, and construction industry efforts. Include business program information on city's web site.	On-going
5010-ED-PRN Public Education/Print Materials	Expand	Print materials will be developed to support diversion programs including: flyers, brochures, labels on disposal containers, door hangers, and other print materials as outlined below: <ul style="list-style-type: none"> Various print materials will be distributed by the City and waste hauler to support the new curbside program. Businesses will be encouraged to request waste assessments and informed of expanded business waste diversion programs through flyers, mail-outs and other materials distributed by both the City and waste haulers. The City will develop a new bilingual print campaign supporting the curbside green-waste program focusing on areas where participation in the existing program can be improved. The City, waste hauler and landfill operator will develop print material to encourage industry participation in the expanded construction and demolition diversion program and educate the industry regarding expanded opportunities. 	June 2005
5020-ED-OUT Public Education/Out-reach	Expand	City staff, the landfill operator, and the waste hauler will expand their joint efforts in community meetings, industry meetings, business fairs, schools, fairs and other opportunities as identified. Expanded Business programs will be highlighted at the annual Business Extravaganza. Curbside recycling will be a major focus of outreach efforts to support initiation of the program, providing information to all residents and businesses to utilize the new blue container for recyclables. City staff will have one-on-one contact with contractors and meetings with construction industry groups to support the implementation of the new C&D ordinance and expanded diversion opportunities.	July 2005
6010-PI-EIN Economic Incentives	Expanded	Economic incentives include: The City will improve enforcement of the existing ordinance to require rate increase for non-compliance with green-waste recycling. City now gives a reduced can rate for clean green. Need to inform residents that their disposal rate can be increased if they fail to keep the green collection container clean. The City will explore expanding this ordinance to include the new mixed	July 2005

		<p>recyclables container.</p> <p>City will also educate business community regarding decreased disposal fees opportunities through the waste assessment and outreach efforts.</p> <p>City is currently negotiating with the hauler and landfill operator to establish incentives for increased diversion.</p>	
6020-PI-ORD	New/ Expand	<p>City will develop a C&D ordinance as well as an approval process for all building or planning projects that will require a statement or plan for recycling of construction/demolition waste.</p> <p>Enforce City ordinance to require rate increase for non-compliance with green-waste recycling ordinance. The City will also explore expanding this ordinance to include the new mixed recyclables container.</p> <p>County is also looking to enact a C&D ordinance for the landfill which will further support City efforts.</p>	January 2005

Section IV B—GOAL ACHIEVEMENT

Goal Achievement describes the activities the jurisdiction will use to achieve the ADR.
Attach additional sheets if necessary..

Residential %			Non-residential %		
PROGRAM TYPE Please use the Board's Program Types. The Program Glossary is online at: www.ciwmb.ca.gov/LG/Central/PARIS/Codes/Reduce.htm	NEW or EXPAND	DESCRIPTION OF PROGRAM	FUNDING SOURCE	DATE FULLY COMPLETED	ESTIMATED PERCENT DIVERSION
		Total Estimated Diversion Percent From New and/or Expanded Programs			
		Current Diversion Rate Percent From Latest Annual Report			
		Total Planned Diversion Percent Estimated			

PROGRAMS SUPPORTING DIVERSION ACTIVITIES

PROGRAM TYPE	NEW or EXPAND	DESCRIPTION OF PROGRAM	DATE FULLY COMPLETED

Section V – PARIS

Office of Local Assistance staff will be reviewing your Jurisdiction's Planning Annual Report Information System (PARIS) database printout as part of the evaluation of your request. Should the Jurisdiction have updates or revisions to the program implementation from the latest Annual Report submitted to the Board, please attach to the application the Jurisdiction's PARIS database printout showing updates or revisions.

Contact your Office of Local Assistance Representative at (916) 341-6199 for a copy of PARIS, or go to the Board's website at www.ciwmb.ca.gov/LGCentral/PARIS/.

Office of Local Assistance
**Program Listing for
Madera**

Page 1
Date Printed
February 4,2005

Program Code	Existed	Slcted?	Pre 1995 Start	----- 1995 ----- Status	----- 1996 ----- Status	----- 1997 ----- Status	----- 1998 ----- Status	----- 1999 ----- Status	----- 2000 ----- Status	----- 2001 ----- Status	----- 2002 ----- Status
1000-SR-XGC Xeriscaping/Grasscycling	N	Y	1999	PF	PF	PF	PF 4, 5	SI	SO	SO	SO
1010-SR-BCM Backyard and On-Site Composting/Mulching	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
1020-SR-BWR Business Waste Reduction Program	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
1030-SR-PMT Procurement	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
1050-SR-GOV Government Source Reduction Programs	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
2000-RC-CRB Residential Curbside	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
2010-RC-DRP Residential Drop-Off	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
2020-RC-BYB Residential Buy-Back	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
2030-RC-OSP Commercial On-Site Pickup	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
2040-RC-SFH Commercial Self-Haul	N	N	1995	AI	AO	AO	AO	AO	AO	AO	AO

Status Code Legend

SO = Selected Ongoing
AO = Alternative Ongoing
SI = Selected Implemented
AI = Alternative Implemented
M = Regional Agency did not exist
or
city was not incorporated or
city

D = Dropped
DE = Dropped in Earlier Year
NI = Selected and Not Implemented
PF = Planned Future
NA = Program did not exist

Reason Code

1 = Delays in bringing diversion facilities
online.
2 = Unavoidable regulatory delays.
3 = Existing contractual or legal problems.
4 = Insufficient funding.
5 = Insufficient staffing.

6 = Lack of cooperation from other entities.
7 = Sufficient diversion without selected
program.
8 = Lack of markets necessary to support

Application: PARIS

Office of Local Assistance
**Program Listing for
Madera**

Page 2
Date Printed
February 4,2005

Program Code	Existed	Slcted?	Pre 1995 Start	----- 1995 ----- Status	----- 1996 ----- Status	----- 1997 ----- Status	----- 1998 ----- Status	----- 1999 ----- Status	----- 2000 ----- Status	----- 2001 ----- Status	----- 2002 ----- Status
3000-CM-RCG Residential Curbside Greenwaste Collection	N	Y	1999	PF	PF	PF	PF	SI	SO	SO	SO
3010-CM-RSG Residential Self-haul Greenwaste	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
4000-SP-ASH Ash	N	Y	1996	PF	SI	SO	D 99	DE 99	DE 99	DE 99	DE 99
4010-SP-SLG Sludge (sewage/industrial)	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
4020-SP-TRS Tires	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
4030-SP-WHG White Goods	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
4040-SP-SCM Scrap Metal	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
4050-SP-WDW Wood Waste	Y	Y	1998	D 99	DE 99	DE 99	SI	SO	SO	SO	SO
4060-SP-CAR Concrete/Asphalt/Rubble	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
4090-SP-RND Rendering	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO

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Application: PARIS

Office of Local Assistance
**Program Listing for
Madera**

Page 3
Date Printed
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Program Code	Existed	Slcted?	Pre 1995 Start	1995 Status	1996 Status	1997 Status	1998 Status	1999 Status	2000 Status	2001 Status	2002 Status
4100-SP-OTH Other Special Waste	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
5000-ED-ELC Electronic (radio ,TV, web, hotlines)	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
5010-ED-PRN Print (brochures, flyers, guides, news articles)	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
5020-ED-OUT Outreach (tech assistance, presentations, awards, fairs, field trips)	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
5030-ED-SCH Schools (education and curriculum)	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
6010-PI-EIN Economic Incentives	Y	Y	1990	SO	SO	SO	SO	SO	SO	SO	SO
6020-PI-ORD Ordinances	N	Y	NA	PF	PF	PF	PF 4, 5	PF 4, 5	PF	PF	PF
7000-FR-MRF MRF	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
7010-FR-LAN Landfill	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
7030-FR-CMF Composting Facility	N	Y	NA	PF	PF	PF	PF	PF	PF	PF	PF

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Application: PARIS

Office of Local Assistance
**Program Listing for
Madera**

Page 4
Date Printed
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Program Code	Existed	Slcted?	Pre 1995 Start	----- 1995 ----- Status	----- 1996 ----- Status	----- 1997 ----- Status	----- 1998 ----- Status	----- 1999 ----- Status	----- 2000 ----- Status	----- 2001 ----- Status	----- 2002 ----- Status
7040-FR-ADC Alternative Daily Cover	N	N	1999	NA	NA	NA	NA	AI	AO	AO	AO
8010-TR-BIO Biomass	Y	Y	1990	D 99	DE 99	DE 99	DE 99	DE 99	DE 99	AI	AO
9000-HH-PMF Permanent Facility	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
9010-HH-MPC Mobile or Periodic Collection	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO
9040-HH-EDP Education Programs	N	Y	1995	SI	SO	SO	SO	SO	SO	SO	SO

Add any additional programs below

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Application: PARIS

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Resolution 2005-66

Consideration Of The Application For A SB1066 Time Extension By The City Of Madera, Madera County

WHEREAS, Public Resources Code (PRC) Section 41825 requires the Board to review each City, County, and Regional Agency's (jurisdiction) Source Reduction and Recycling Element (SRRE) at least once every two years; and

WHEREAS, by conducting the Biennial Review in accordance with Title 14 California Code of Regulations Section 18772, the Board will determine if a jurisdiction has implemented its SRRE programs, and if a jurisdiction is meeting the diversion requirements as specified under PRC Section 41780; and

WHEREAS, in 1997, Senate Bill (SB) 1066 modified PRC Section 41820 and Section 41785 for multiple year and multiple requests from jurisdictions for Time Extensions or Alternative Diversion Requirements in meeting the 50 percent diversion requirement; and

WHEREAS, the Board developed an application intended to provide guidance on the information and documentation that is needed to meet the requirements identified in PRC Sections 41820 and 41785, and approved the application on May 23, 2000; and

WHEREAS, based on the staff review of the SRRE for the City of Madera (City), Board staff found that the City has been implementing diversion programs but needs more time to achieve the 50 percent diversion requirement; and

WHEREAS, the City has submitted the necessary information and documentation required in a completed SB1066 Time Extension application;

WHEREAS, PRC Section 41820 allows the Board when considering an SB1066 Time Extension application to make specific recommendations for the implementation of additional programs; and

WHEREAS, based on the staff review of the completed SB1066 Time Extension application, Board staff recommend and the City concurs that they will incorporate one additional program: the development and formal adoption of a Recycled Content Procurement Policy for the City; and

NOW, THEREFORE, BE IT RESOLVED that the Board directs the City of Madera to add the development and formal adoption of a Recycled Content Procurement Policy for the City into the Goal Achievement Plan and with this addition hereby accepts the City of Madera SB 1066 application for a Time Extension until December 31, 2005, to implement its SRRE and to meet the 50 percent diversion requirement.

(over)

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board directs the City of Madera to report on its progress in implementing its Plan of Correction by submitting a six month progress report, and a final report at the end of the extension with the Annual Report.

CERTIFICATION

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on March 15-16, 2005.

Dated:

Mark Leary
Executive Director